

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 25TH DAY OF FEBRUARY 2015/6TH PHALGUNA, 1936

Bail Appl..No. 840 of 2015

CRIME NO. 92/2015 OF IRINJALAKUDA POLICE STATION, TRISSUR.
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PETITIONER(S)/1ST AND 2ND ACCUSED:

1. ARUN, AGED 28, S/O.MAYAMMA
IYYANI HOUSE, KUNNATHOOR,
VELLANGALLORE P.O., THRISSUR DISTRICT.
2. ANOOP, AGED 25, S/O.MAYAMMA,
IYYANI HOUSE, KUNNATHOOR,
VELLANGALLORE P.O., THRISSUR DISTRICT.

BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.N.L.BITTO

STATE OF KEALA/COMPLAINANT:

**THE STATE OF KERALA,
REP.BY THE SUB INSPECTOR OF POLICE,
IRINJALAKUDA POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM - 682031.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B.KEMAL PASHA, J.

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B.A. No. 840 of 2015

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Dated this the 25th day of February, 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioners are A1 and A2 in Crime No.92/2015 of the Irinjalakuda Police Station, registered for the offences punishable under Sections 341, 323, 324 and 308 read with Section 34 IPC.

3. The allegation against the petitioners is that on 17.01.2015, they along with the other accused wrongfully restrained the de facto complainant on the way and A2, A3 and A4 caught hold of him and stopped him, thereby enabling A1 to cause injuries on his head. It is alleged that A1 repeatedly beat on the head of the de facto complainant with a steel ring, thereby causing very serious injuries.

4. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

5. The wound certificate which finds a place among the records in the C.D. reveals that the de facto complainant has sustained five lacerated wounds of the different dimensions on his scalp. Sutures ranging from 2 to 4 were to be made for repairing the injuries. Over and above it, he has sustained abrasions on forehead and left arm. The contents of the C.D. *prima facie* reveal the complicity of the petitioners. Over and above it, it has been reported that the first petitioner is an accused in Crime No.907/2013 of the Mala Police Station and Crime No.1768/2013 of the Irinjalakkuda Police Station. The second petitioner is an accused in Crime No.431/2012, Crime No.515/2012, Crime No.869/2012, Crime No.2621/2012 and Crime No.207/2014 of the Irinjalakkuda Police Station. It seems that Section 107 Cr.P.C proceedings have been initiated against both the petitioners. Considering all the above, and the seriousness of the allegation against the petitioners, I am satisfied that the petitioners are not

entitled to the discretionary relief of anticipatory bail.

In the result, this Bail Application is dismissed.

Sd/-
B.KEMAL PASHA, JUDGE

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P.A to Judge